

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -JULY 18, 2006- -7:30 P.M.

Mayor Johnson convened the Regular Meeting at 7:42 p.m. Boy Scout Troop 73 led the Pledge of Allegiance.

ROLL CALL - Present: Councilmember Daysog, deHaan, Gilmore, Matarrese, and Mayor Johnson - 5.

Absent: None.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(06-365) Presentation by the Park Street Business Association (PSBA) on the 22nd Annual Art and Wine Faire.

Blake Brydon, Art and Wine Faire Chair, presented glasses to the Mayor and Council; invited everyone to the Faire.

(06-366) Presentation to the Fourth of July Parade Committee recognizing their efforts for a successful Mayor's Fourth of July Parade.

Mayor Johnson thanked the committee for the hard work; stated the committee helps to financially support school bands.

Barbara Price, Fourth of July Parade Committee Chair, presented T-shirts to the Mayor and Council; introduced the committee members; stated \$31,000 was raised.

Mayor Johnson stated there was a picnic at Rittler Park after the parade for the Coast Guard and family members; presented certificates to committee members.

(06-367) Presentation regarding the World Masters Swim Championship to be held on August 11, 2006.

Linda Gilcrist and Paul White submitted a handout; outlined the event's activities and encouraged anyone interested to volunteer.

(06-368) Presentation and update on Alameda Development Corporation.

Gregg Fujita, Alameda Development Corporation (ADC) President,

introduced Board Members and gave a brief presentation.

Dan Lachman, ADC Executive Director, thanked Development Services for all their efforts; provided an update on the 626 Buena Vista Avenue project; invited everyone to the November 2006 groundbreaking; outlined upcoming projects.

CONSENT CALENDAR

Councilmember Daysog moved approval of the Consent Calendar.

Councilmember deHaan seconded the motion, which carried by unanimous voice vote - 5.

[Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*06-369) Minutes of the Special Joint City Council, Alameda Reuse and Redevelopment Authority, and Community Improvement Commission Meetings held on July 5, 2006, and the Regular City Council Meeting held on July 5, 2006. Approved.

(*06-370) Ratified bills in the amount of \$2,523,936.31.

(*06-371) Resolution No. 14000, "Amending Resolution No. 9460 to Reflect Current Positions and Entities to be Included in the City of Alameda's Conflict of Interest Code and Rescinding Resolution No. 13906." Adopted.

REGULAR AGENDA ITEMS

(06-372) Discussion of City Attorney staffing options and request to hire an Administrative Management Analyst.

Councilmember deHaan moved approval of hiring an Administrative Management Analyst.

Vice Mayor Gilmore seconded the motion, which carried by unanimous voice vote - 5.

(06-373) Resolution No. 14001, "Participating in the International Council for Local Environmental Initiatives (ICLEI) Cities for Climate Protection Campaign and Creation of a City Task Force." Adopted; and

(06-373A) Resolution No. 14002, "Providing Support for Policies that Promote the Development and Commercialization of Plug-In Hybrid Electric Vehicles as a Participant in the Plug-In Partners

National Campaign." Adopted.

The Supervising Planner provided a brief presentation.

Mayor Johnson stated that plug-in vehicles are in line with the City's vehicle replacement program; she would prefer to have an Alameda Power and Telecom representative on the Task Force.

The Supervising Planner stated that a Public Utilities Board representative would be on the Task Force.

Mayor Johnson inquired whether a Planning Board Member was interested in serving on the Task Force.

The Supervising Planner responded the Boards and Commissions have not been approached; stated various Planning Board Members are on subcommittees.

Mayor Johnson stated the Task Force composition could be brought back to Council for review.

The Acting City Manager stated the Public Utilities Board President volunteered to be on the Task Force last night.

Councilmember deHaan inquired whether any other cities have moved forward on the initiative.

The Supervising Planner responded all cities are moving forward together; data is being collected; the next process will be reviewing the data and setting local and regional goals.

Mayor Johnson stated that most Alameda County cities are moving forward with the initiative; the Alameda County Conference of Mayors endorses the ICLEI portion.

Mayor Johnson opened the public portion of the meeting.

Proponents (In favor of resolutions): Carol Stone, Alameda; Karen Butler, League of Women Voters (submitted handout); Joyce Mercado, Alameda; Edward Thorp, Alameda; Stanley M. Schiffman, Alamedans for Climate Protection; Ron Silberstein, Alameda; Herb Behrstock, Alamedans for Climate Protection; Michael J. Krueger, Alameda; Jodie Van Horn, Plug-In Bay Area; Marc Geller, Plug-In America/Electric Auto Association (submitted handout); Jon Spangler, Alameda Recycling Coalition; David Teeters, Alamedans for Climate Protection.

There being no further speakers, Mayor Johnson closed the public

portion of the meeting.

Mayor Johnson stated the number of public members should be increased; the Task Force could have two additional members.

Councilmember deHaan inquired what is the Task Force's life expectancy.

The Supervising Planner responded the process would be completed in March 2007.

Councilmember deHaan stated the initial Task Force could be large and move down to a smaller oversight Task Force.

Councilmember Matarrese concurred with Councilmember deHaan; stated there is a process that covers the assessment; proposed that the resolution describe what is expected from the Task Force; some functions to consider are: 1) publicizing and engaging the general public in the discussion of what ICLEI is and what the assessment is, 2) determining what evaluation of the output of the assessment affects the City and providing a recommendation to Council on priorities of actions that the City should take against the assessment points; 3) determining what policies may affect the general public, and 4) providing future recommendations; stated a century and a half of industrial revolution habits are backing up because fuel is going away; the impact has been demonstrated on the whole planet; the process sets up an ongoing way of life for the City; a commission might be recommended by the Task Force after the process is completed in March 2007.

Councilmember Daysog thanked the speakers for addressing the issue; stated global warming can be reduced by 10 -20% by taking mass transit or car sharing once a week.

Vice Mayor Gilmore stated she would like to see the Task Force focus on encouraging individual citizens, and more importantly businesses in town, to do their share.

Councilmember deHaan stated he is concerned that past efforts have not been institutionalized; Alameda has been extremely successful in waste management, green power generation, and as an electric city; emphasis is not placed on programs as time passes; the City has some of the basic policies and desire; the City has been a leader and has some of the better terrain for people to get out of cars and walk; focus should not be lost and should be a day-in and day-out lifestyle; the City was not allowed to purchase electric cars for Alameda Power and Telcom; Cal Start was one of the City's leading efforts; Alameda should be proud to be an electric city.

Mayor Johnson stated Alameda has bio-diesel at the former Naval Air Base for power generators; the City has implemented one of the most progressive and inclusive recycling programs; Alameda has been on the forefront of environmental issues.

Councilmember Matarrese requested taking a separate vote on the two resolutions.

Councilmember Matarrese moved adoption of the Resolution Participating in the ICLEI, with an amendment to increase the public members at large to four members and to incorporate the following Task Force functions: 1) publicize and engage the community at large, 2) evaluate and provide prioritized recommendations to Council on actions that can be taken on the output of the assessment, 3) provide recommendations for monitoring of activities, and 4) provide recommendations on how to proceed, including but not limited to, establishing a standing commission.

Councilmember deHaan stated the City has many existing commissions.

Councilmember Matarrese stated his recommendation was that the Task Force would make a recommendation to Council on the monitoring process which could include, but not be limited to, a standing commission.

Councilmember deHaan stated the Transportation Commission and other commissions could take on some of the role.

Councilmember Matarrese stated existing commissions could be used, or a broad, standing commission could be established.

Vice Mayor Gilmore seconded the motion.

Under discussion, Mayor Johnson stated that Alameda Power and Telecom deserves credit; 85% of the City's electricity comes from renewable resources; recently the Alameda Times Star reported that Alameda Power and Telecom entered into a twenty-five year contract for wind power; Alameda Power and Telecom purchases power from a Santa Cruz facility that produces electricity from gas that comes from dumps.

The Senior Management Analyst stated Point Richmond and Livermore landfill gas facilities are additional sources for Alameda Power and Telecom; a larger facility is anticipated at Half Moon Bay; transmission costs and risks are reduced.

Mayor Johnson stated that Alameda Power and Telecom is very

aggressive about pursuing renewable energy sources.

The Senior Management Analyst stated that management and staff have discussed a goal for 100% renewable energy sources.

Mayor Johnson inquired what was the nationwide goal, to which the Senior Management Analyst responded the State's goal is 20% by 2013.

Councilmember deHaan stated the landfill gas is a win-win situation.

The motion carried by consensus - 5.

Councilmember Matarrese suggested inserting "electric" in front of "hybrid electric" throughout the resolution because the City's vehicle replacement policy directs purchase of entirely electric vehicles first; stated the hybrid electric becomes a fuel efficient, gasoline driven car when driving at a high speed and long distance; former Interim City Manager Bill Norton had an electric Honda CRV and was able to make two round trips from Alameda to San Francisco between charges.

Councilmember Daysog inquired whether members in the audience had any questions or needed clarification.

Mr. Geller stated he wanted to ensure that Council was clear on the difference between hybrid electric vehicles, plug-in hybrid electric vehicles, and entirely electric vehicles; the resolution only relates to a hybrid vehicle that can be plugged in; today's hybrid vehicles cannot be plugged in; there is not option to get electricity from the cleaner, cheaper domestic source.

Mayor Johnson stated that the City's number one priority is entirely electric.

Councilmember Matarrese moved adoption of the Resolution Providing Support for Policies, with an amendment to insert "electric or" in front of "hybrid electric vehicles".

Vice Mayor Gilmore seconded the motion, which carried by unanimous voice vote - 5.

(06-374) Negotiations with the Bay Area Water Transit Authority Related to Transfer of City Ferry Services.

Mayor Johnson announced that she would recuse herself on the matter because she serves on the Water Transit Authority (WTA).

The Public Works Director provided a brief presentation.

Steve Castleberry, Water Transit Authority Executive Director, provided a Power Point presentation.

The Ferry Services Manager provided a brief presentation.

Councilmember Daysog inquired why the specific guarantee period was five to seven years instead of fifteen to twenty years for maintaining current service levels.

The Ferry Services Manager responded Council could specify a fifteen or twenty-year period.

Councilmember Daysog inquired why the City could not get ferry services and funding back if the WTA reduced service levels.

The Ferry Services Manager responded he did not want to commit the City to take back ferry services if grant funding fell short of actual operation expenses during the intervening years.

Councilmember Daysog stated the WTA is receiving some core funding; the City should get back the boats and revenue if the WTA does not perform.

Councilmember deHaan stated the condition of the ferries might deteriorate and the City would need to get additional funding to bring the ferries back into operation.

Councilmember Matarrese stated the City needs to be protected; the City should have the option to take back the ferry services if trips are reduced below what the City is accustomed to at the end of the guarantee period, rather than the original number of trips at the time of transfer; the City cannot afford to go back to the original service levels because of Alameda Point build out; he would like a real guarantee that the City would get the boats and funding back in order to maintain the service level the City needs in the event reductions are ever proposed.

The Ferry Services Manager inquired whether Councilmember Matarrese meant that if there were ten round trips per day at the time of transfer and the WTA increases the trips to fifteen round trips per day, the trigger point would be whether the WTA proposed to reduce the round trips to below fifteen, to which Councilmember Matarrese responded in the affirmative.

Vice Mayor Gilmore stated that getting back the same boats with a

longer guarantee period is highly unlikely; provisions need to be made.

Councilmember deHaan stated the likelihood of an agreement falling apart would indicate a total disaster with the ferry service; the WTA is an authority that should have some long standing.

Councilmember Matarrese stated his biggest fear is that a 75,000 person city would take second place to larger surrounding cities; Alameda has the most need for a ferry system; he is concerned that Alameda might get a trip reduction after seventeen years in favor of adding an additional trip for another city; Alameda does not have a chance of getting another bridge or tube; everything needs to be done to ensure that Alameda's needs are on top of the pile.

Councilmember deHaan stated he feels that the City could keep running the ferry services for the next five to ten years; the question is how long the storm can be weathered and whether there is a commitment from the State; the City could be stranded; inquired whether any future legislation would strengthen the WTA's position.

Mr. Castleberry responded he believes so; a significant amount of funds are set aside for transit services in the November ballot infrastructure bond that can provide emergency response during recovery of a disaster; stated the details of the bond still need to be worked out; the WTA believes the bond will be an investment in the ferry service.

Councilmember deHaan inquired what was the WTA's annual budget.

Mr. Castleberry responded the WTA currently receives \$3 million per year for ongoing operations; another \$3 million per year will be available through Regional Measure 2 funds once operations begin for South San Francisco; another \$3 million per year will be received when the Berkeley operation starts.

Councilmember deHaan inquired whether there are funds for Alameda.

Mr. Castleberry responded there is approximately \$6 million per year in Regional Measure 2 funds for expanded service in Alameda.

Councilmember deHaan inquired whether the WTA is planning on taking over other services, and whether the WTA is in negotiations with other local authorities.

Mr. Castleberry responded the WTA is in discussions with the City of Vallejo; the City of Tiburon has approached the WTA for help

which probably would not be feasible; South San Francisco and Berkeley are new ferry services.

Councilmember deHaan inquired whether existing service is a focus of the WTA.

Mr. Castleberry responded the WTA does not have any authority over Alameda services; the WTA's only legislative mandate is on new services.

Councilmember deHaan stated there are benefits and disadvantages in being first with a new service; inquired whether schedules are the WTA's forte.

Mr. Castleberry responded the WTA looks at schedules as low fruit; schedules can be done at a fairly low cost to make the mode better for the riders.

Councilmember deHaan stated he appreciates the WTA's efforts to help market the City's ferry services; inquired whether the Metropolitan Transportation Commission (MTC) would always be a player for the WTA's funding stream.

Mr. Castleberry responded MTC administers Regional Measure 2 funds; MTC would touch 90% of the WTA's operating funds.

Councilmember deHaan inquired how the WTA would be better at working with MTC for farebox relief.

Mr. Castleberry responded MTC reviews and evaluates services separately; MTC does not evaluate bus companies on a route-by-route basis; the WTA believes marketing is not just for one route, but for both.

Councilmember deHaan stated he thinks the City could do the same thing as the WTA.

Mr. Castleberry stated that the WTA would put all resources in the farebox relief because the farebox ratio is unfair.

Vice Mayor Gilmore stated she thinks that staff does a wonderful job of running the ferry services; she needs incentives from the WTA, such as having more access to funds and having the opportunity to improve the ferry services, before considering turning the ferry service over; she does not see any reason to turn the ferry service over to the WTA; inquired whether route timing would be systemized; stated that she is interested in having ferry connections to buses and trains for the South San Francisco and Redwood City ferry

services; bicycle riders are complaining that the ferries do not have enough room for bikes; bike accommodations would be an improvement.

Mr. Castleberry stated the WTA would not believe that transferring City ferry services is a good idea if riders would not benefit; the WTA is eligible for funds that the City is not; 25% of operating funds would be for landside connections; transit agencies can be paid to cooperate; boats are being designed to carry 100 bikes.

Jon Spangler, Alameda, stated he was impressed with the WTA's presentation; he is not an opponent or proponent at this point; he is concerned with 1) possible affects on cross-estuary services, 2) what the WTA would offer to reduce ticket prices, 3) greener propulsion systems and other green initiatives, including solar and sail powered ferries, 4) guarantees for customer services, and 5) bike commute provisions.

Councilmember Daysog stated people in Alameda love the ferry system; the two Alameda ferry systems service particular markets; he is not inclined to move forward with the negotiations; key points need to be considered; funding streams should be given back if boats are given back; concurred with Vice Mayor Gilmore's comments regarding getting the same boats back with a longer guarantee period.

Councilmember Matarrese inquired how much discussions would cost, to which the Ferry Services Manager responded the discussions would cost staff's time.

Councilmember Matarrese inquired what would not be done while WTA discussions are conducted; stated he would like to have an analysis of the two paths going forward; Council could make a decision on whether it is worthwhile to tie up staff time to get \$200,000 and give up local control; he is not willing to authorize discussions until the analysis is made.

Vice Mayor Gilmore stated one of the key issues has to be protection of Alameda's services because the ferry system is a necessity; protection is necessary in case the Oakland to South San Francisco run becomes more profitable and Alameda services are cut.

In response to Councilmember Matarrese's question regarding the cost for discussions, the Public Works Director stated the approximate cost would be \$15,000.

Councilmember Matarrese inquired what would not be done while negotiations were conducted, to which the Public Works Director

responded marketing and customer relations.

Councilmember deHaan inquired whether the City is going to be in a healthy financial position to replace boats in five years.

The Public Works Director responded that he is not sure that the City would be able to expand the services based on current or projected funding; there is a significant decrease in the funding Oakland has given the City; there is no indication that additional funding would be provided; Oakland could opt out; if so, the majority of the farebox recovery for the Alameda/Oakland Ferry Service would go away.

Councilmember deHaan stated that he is concerned with being the first one in the water; pieces have been put together to keep things flowing; he is concerned that the WTA does not have the complete wherewithal to make the transfer a priority; the issue is a tough decision; concurred with Councilmember Matarrese regarding deciding whether to negotiate.

The Public Works Director stated staff brought the matter to Council because of a previous Council's request.

Councilmember Daysog inquired whether other ferry systems are being requested to joint the WTA, to which the Public Works Director responded in the negative.

Vice Mayor Gilmore inquired whether there are competitive grants that the City could apply for to bridge the funding gap; stated Council discussed the concept of hiring a grant writer in the past.

The Public Works Director responded in the negative; stated the City receives a bulk of Regional Measure 1 funding; the City is not a transit agency; transit agencies receive federal money; the WTA has access to Regional Measure 2 funds.

Mr. Castleberry stated that Regional Measure 2 funds set aside \$6 million per year for operating costs and some capital for the Alameda/Oakland ferry service.

Councilmember Matarrese stated it is odd that the City does not have access to money to expand its services; requested reasons in bullet point format for entertaining the possible transfer of the City's ferry services to the WTA; requested an explanation on why \$6 million is available to the WTA and not the City for expanding Alameda ferry services; suggested reviewing the possibility of changing the rule or getting an exception so that the City can entertain the possibility of obtaining the funding.

Vice Mayor Gilmore stated the City needs to get some tangible benefit for transferring the ferry service.

Councilmember Matarrese stated that he does not want to waste staff's or WTA's time if there are no good, solid reasons for the transfer.

Councilmember Matarrese moved approval of bringing the matter back to Council with consolidated information.

Councilmember deHaan stated the matter does not need to be fast tracked; Council needs to better understand what the parties bring to the table; more information needs to be gathered; he would like to have staunch, feedback points brought back to Council to ensure that the WTA is right on track; the transfer could be the marriage of the century, or possibly not.

Councilmember deHaan seconded the motion.

Under discussion, Councilmember Daysog stated that he previously abstained on the matter; he will vote no on the matter tonight; the City should get back to the regular business of running and managing the ferry system.

Councilmember deHaan stated an agreement does not need to be signed, and negotiations do not need to be initiated; Council is requesting that both sides get together to provide information on the future and commitments that can be made.

Councilmember Daysog stated that he will still vote no on the matter; he may change his vote in the future.

On the call for the question, the motion carried by the following voice vote: Ayes: Councilmembers deHaan, Gilmore and Matarrese - 3. Noes: Councilmember Daysog - 1. Abstentions: Mayor Johnson - 1.

ORAL COMMUNICATIONS, NON-AGENDA

(06-375) Michael John Torrey, Alameda, requested status on the Parrot Park northern waterfront project; stated the children have nowhere to play.

The Acting City Manager stated the Environmental Impact Report is being prepared for the northern waterfront.

Mayor Johnson suggested the matter be referred to the Housing Authority.

Councilmember Matarrese stated that he received a complaint about the treatment of the sycamore trees along Parrot Park.

Mayor Johnson stated the City needs to be careful on how trees are pruned; direction was given to do a ten-year prune on Gibbons Drive a couple of years ago.

Councilmember deHaan stated the trees survived; the trees can take severe pruning but severe pruning is not a good process.

(06-376) The following discussed Measure A: Diane Lichtenstein, Housing Opportunities Make Sense (HOMES); Helen Sause, HOMES ;Laura Thomas, Alameda; Jon Spangler, Alameda; Gretchen Lipow, Alameda.

COUNCIL COMMUNICATIONS

(06-377) Mayor Johnson stated she received an e-mail indicating the cost of solar permits in Alameda is higher than other cities; requested the matter be reviewed.

(06-378) Councilmember Matarrese stated a tenant at the Clement Avenue storage rental facility complained about sludge seepage between storage unit concrete cracks; the tenant inquired whether the City could contact the owner.

The Acting City Manager stated Alameda County would be contacted as well to ensure there is not health issue.

Councilmember Matarrese requested that a report be brought back to Council on the matter.

(06-379) Councilmember deHaan requested that the possibility of renaming Tinker Avenue to Willie Stargell Avenue be placed on the next agenda.

(06-380) Councilmember deHaan stated that recently retail leakage has been well documented at Alameda Landing; only a certain amount of leakage can be captured; a certain amount is needed in certain categories; he would like to review limiting the number of square feet in existing and future shopping centers; he would like to discuss big boxes and boxes in general; requested that the matter be placed on the next agenda.

(06-381) Mayor Johnson requested that the US Conference of Mayor's ICLEI initiative be placed on the next Council agenda under Council Communications; stated placing the matter under Council Communications would be the appropriate first step to see whether

the matter should be placed on a Council agenda for action.

ADJOURNMENT

There being no further business, Mayor Johnson adjourned the Regular Meeting at 10:33 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -JULY 18, 2006- -5:30 P.M.

Mayor Johnson convened the Special Meeting at 5:35 p.m.

Roll Call - Present: Councilmembers Daysog, deHaan, Gilmore, Matarrese, and Mayor Johnson - 5.

Absent: None.

The Special Meeting was adjourned to Closed Session to consider:

(06-362) Conference with Labor Negotiators: Agency negotiators: Craig Jory and Human Resources Director; Employee organizations: Alameda City Employees Association, International Brotherhood of Electrical Workers, and Management and Confidential Employees Association.

(06-363) Conference with Real Property Negotiators; Property: 2900 Main Street; Negotiating parties: City of Alameda and Alameda Gateway, Ltd; Under negotiation: Price and terms.

(06-364) Conference with Legal Counsel - Anticipated Litigation; Initiation of litigation pursuant to subdivision (c) of Section 54956.9; Number of cases: Two.

Following the Closed Session, the Special Meeting was reconvened and Mayor Johnson announced that regarding Conference With Labor Negotiators, Council received a briefing from Labor Negotiators on the status of contract negotiations and gave direction; regarding Conference With Real Property Negotiators, Council received a briefing from legal counsel and gave direction; regarding Conference With Legal Counsel, the matter was continued to July 27, 2006.

Adjournment

There being no further business, Mayor Johnson adjourned the Special Meeting at 7:30 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.